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New York

President:	Mr. Thomson	(United Kingdom)
Members:	Algeria	Mr. Hafrad
	Angola	Mr. Gaspar Martins
	Benin	Mr. Zinsou
	Brazil	Mr. Da Silva
	Chile	Mr. Andereya
	China	Mr. Cheng Jingye
	France	Mrs. Collett
	Germany	Ms. Kloke
	Pakistan	Mr. Shah
	Philippines	Mr. Lacanilao
	Romania	Mr. Dumitru
	Russian Federation	Mr. Lobach
	Spain	Mr. Quintero
	United States of America	Mr. Rostow

Agenda

Threats to international peace and security caused by terrorist acts

Letter dated 15 October 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/820)

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04-56125 (E)

The meeting resumed at 3.10 p.m.

The President: We have 17 speakers on our list, including Colombia, who has joined the list of speakers.

I now give the floor to the representative of Peru.

Mr. de Rivero (Peru) (*spoke in Spanish*): The convening of this open debate bears witness to the recognition that all States must be involved in combating terrorism, and that is why I am grateful to you, Mr. President, for having convened this debate. I would also like to thank Ambassador Andrey Denisov, Chairman of the Counter-Terrorism Committee (CTC), for his introduction of the Committee's plan for the final quarter of the year, and to tell him that my country fully supports him in his functions.

Simply stated, Peru has zero tolerance for terrorism in all its forms and manifestations, wherever and by whomever such acts may be committed. We fought against that scourge for 13 years and managed to overcome it. We are not novices in combating terrorism, and as a result we are happy to make all of our experience available to the international community.

Based upon our successful experience in combating terrorism, my country is in a position to testify that one cannot effectively combat that scourge without an integrated approach, including legal aspects such as new legislation, but also including social and political aspects and, above all, operational and intelligence aspects, which are often even more productive than armed confrontation.

It is vital for that comprehensive struggle to be carried out with respect for human rights and international law. The State can never win the battle against terrorism if it uses the same methods as the terrorists, because it will thus lose its legitimacy. Another long-term aspect of the integrated approach against terrorism is to combat social marginalization, poverty and resentment, because those are the areas in which the virus of terrorism grows and flourishes.

The Committee's work against terrorism must be carried out in a coordinated manner, in close cooperation with other organs of the Council that are also concerned with terrorism, but also with other units in the United Nations, as well as with other international, regional and subregional organizations, in order to focus our efforts and avoid redundancy.

With regard to reporting, my country welcomes the rapidity and effectiveness with which the Committee works in examining the reports. However, we note that while some countries will soon be preparing their fifth report, others have only presented two. According to the numbers cited by the Chairman of the Committee, while 191 Member States have presented their first report, 160 have presented a second and 117 have presented a third, only 78 have presented their fourth. In the opinion of my delegation, the Committee must continue to collaborate closely with States that have not been able to discharge their obligation to report by identifying the reasons why such a great number of States are lagging behind.

Despite its great experience in the field, Peru, along with other developing countries, must still make tremendous efforts to honour the requests for information presented by the Committee. That must be taken into consideration when sending successive requests for more information. It might be a good idea for the reports to be drawn up in light of the particular features of the situation in a given State — in particular, the experience a country may have in combating terrorism. When analysing a country's legislation, experts familiar with the country's legal system should participate.

As for the hiring of personnel and experts for the Counter-Terrorism Committee and the Counter-Terrorism Executive Directorate, my delegation considers that, in addition to making certain that persons of the highest degree of ability and competence be included, we must have professionals from all the geographical regions and all the legal traditions — some with governmental experience and others with non-governmental experience, including those who possess strategic abilities in terms of combating terrorism.

Finally, we believe that in complying with the terms of resolution 1566 (2004), the Council or the Committee should hold open meetings where we can learn from the experience of countries that have successfully confronted terrorism. That would be a valuable way to share lessons learned, to correct errors and to formulate better methods.

The President: I now give the floor to His Excellency the Foreign Secretary of Bangladesh.

Mr. Chowdhury (Bangladesh): At the very outset, let me commend Ambassador Denisov and Mr. Rupérez for their very eloquent reporting to the Council early this morning, which has to a great measure set the trend of the discussions that have followed. On a more general note, Sir, I congratulate your delegation most warmly, for your skilful leadership of the Council during the current month, and indeed for providing an opportunity for the open debate on this very important and crucial subject.

As the United Nations — mankind's greatest gift to itself — approaches six decades of existence, we recall that the single most important reason for its founding was the maintenance of international peace and security and ensuring global stability.

Today's debate assumes added significant as it takes place against the backdrop of the trend towards circumventing multilateralism in international affairs, particularly in the maintenance of international peace and security. We must reaffirm our unwavering commitments and pledges to the centrality of the role of the United Nations in establishing supremacy of the rule of law in all areas of international relations.

Bangladesh's position on terrorism has always been firm and consistent. It has condemned international terrorism in all its forms and manifestations and remains an active coalition partner in the war against terrorism. Bangladesh is party to several conventions on combating terrorism adopted at the international and regional levels, and we are committed to their effective implementation.

We consider that the heinous acts perpetrated by terrorists around the world pose a threat to international peace and security, and condemn such acts in the strongest terms. We believe that no cause can justify such cruel acts directed against civilians, including women and children. Our condemnation of the recent brutal killing of innocent schoolchildren in Beslan is a clear case in point.

We reiterate our call to convene an international conference under the auspices of the United Nations to define terrorism, to differentiate terrorism from the struggle for national liberation of peoples under colonial and foreign occupation and to conclude a comprehensive convention on international terrorism. The international community must also ensure that the fight against terrorism is conducted in conformity with the principles of the United Nations Charter, international law and the relevant international conventions.

Bangladesh welcomed all 14 resolutions -- including resolution 1373 (2001) — adopted since 2001 aimed at putting a stop to that universal scourge. Bangladesh is committed to those resolutions and cooperates actively in implementing the mechanisms created through those resolutions, including the Counter-Terrorism Committee. We also welcome the unanimous adoption of Security Council resolution 1566 (2004).

Bangladesh considers that putting in place enabling legislation that is in line with international and regional conventions on terrorism is vital for their implementation. The national parliament of Bangladesh has passed comprehensive legislation in that regard, including legislation on money-laundering, designed to curb the financing of terrorism.

Bangladesh believes that in order to fight the menace of terrorism effectively, it is important to take a deeper look at its root causes and to try to address them in a comprehensive fashion. Military response alone cannot eliminate terrorism; it must be combined with societal measures. We must therefore propagate cross-cultural harmony among different civilizations and across religious lines. The roots of poverty and the conditions that foster depredation, exploitation and deprivation should be addressed globally.

While our condemnation of terrorism has been stated and restated in unambiguous terms, we must at the same time not lose sight of the need to define terrorism.

Our efforts to pre-empt extremist thoughts and acts of desperation should focus on ensuring sustainable development for all the people on Earth. It is through a sincere and sustained focus on removing the prevailing sense of deprivation and marginalization among certain populations that we can try to effectively reduce the threat to international peace and security. Bangladesh calls upon all countries, particularly the developed countries, to implement their commitments for achieving the Millennium Development Goals by 2015. It is our conviction that the Goals can be best achieved against a backdrop of disarmament, reduced military expenditures, proper allocation of resources for poverty eradication and effective confidence-building measures.

Bangladesh strongly condemns all attempts at religious profiling of terrorism. Terrorism is a universal phenomenon and should be addressed collectively, in the best interests of humanity. We wish to reiterate that terrorism cannot be attributed to religion, race, nationality or civilization. Any attempt to do so, rather than tackling the problem objectively, will only help the terrorists by creating divisions among nations along religious and racial lines.

Bangladesh remains seriously concerned at the attempt by terrorists to acquire weapons of mass destruction. That is, indeed, a grave development that needs to be addressed collectively and with due urgency. We call upon all Member States to demonstrate the political will to re-energize the non-proliferation and disarmament activities that have been paralysed for several years. We must fulfil our obligation towards non-proliferation, nuclear disarmament and general disarmament in a transparent and non-discriminatory manner under effective international control. We believe that the most effective way to prevent terrorists from acquiring weapons of mass destruction is through the total elimination of such weapons.

Ms. Kalay-Kleitman (Israel): On behalf of my delegation, allow me to thank you, Sir, for your leadership of the Council for the month of October.

(*spoke in Russian*)

I thank the Permanent Representative of the Russian Federation for his briefing today on the work accomplished by the Counter-Terrorism Committee (CTC) and for Russia's leading role as Chair of the Committee.

(*spoke in English*)

I also congratulate Mr. Rupérez for the organization outline prepared for the Counter-Terrorism Executive Directorate.

The Security Council, especially since the tragedy of 11 September 2001, has elaborated in clear terms what is expected of each State in the global confrontation with terrorism. There are clear signposts set out by the Council and the CTC, which, together with the numerous anti-terrorism conventions and other international initiatives, form an impressive counter-terrorism architecture and a road map for action. Those include, for example, resolutions 1267 (1999), 1269 (1999), 1368 (2001), 1373 (2001), 1540 (2004) and now 1566 (2004), adopted just a few weeks ago at the initiative of the Russian Federation, which we welcome.

Those resolutions set out crucial normative standards and binding obligations for dealing with what is perhaps the greatest challenge to freedom and open societies in the first years of the twenty-first century. They reflect the position of an international community united against terrorism, and, if acted upon with resolve and without compromise, they can deal terrorism a decisive blow. The message that this Council has sent through those resolutions is clear: the threat of terrorism anywhere is a threat to people everywhere. By acting on that threat, separately and together, we can meet our legal and moral obligations and create the conditions for a more peaceful world.

The Council has reached a number of vital conclusions regarding the challenges posed by terrorism. The invocation of Chapter VII of the United Nations Charter, the strengthening of the CTC and the calls in resolution 1566 (2004) to consider new ways to confront terrorist organizations throughout the world demonstrate a collective understanding that we face a global threat of truly dangerous proportions. Sadly, those dangers have only multiplied, given the risks of non-conventional attacks by terrorist actors and the nexus in various parts of the globe between terrorists and tyrants. In the light of what we know about terrorist networks and the extremist ideology that feeds them, it is simply wrong to see those actions in localized contexts or as a trend that can be isolated to specific regions.

As too many of us have learned through painful experience, there is no possible legitimate reason that can explain away terror and no such thing as an acceptable targeting of innocents. There is no cause, grievance or claim that can justify those actions. Resolution 1566 (2004) sends that message clearly, without leaving any room for doubt or debate. It unequivocally states in paragraph 3 that terrorist actions are "under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature ...".

We all know what terrorism is. Even those apologists who still insist on using code words such as "resistance" or "freedom fighters" to blur the distinction between means and ends cannot hide from these clear statements. It is time for all of us to

internalize the message affirmed by resolution 1566 (2004) and to be clear in our statements and in our actions and resolute in the knowledge that the deliberate targeting of innocent people for political or ideological objectives is beyond the pale. There has never been a terrorist organization that did not claim to be acting for some noble cause, but as this and many other resolutions make clear, any organization, anywhere in the world, that sees the killing of innocents as a means to an end must be seen — without appeasement or apology — as a terrorist organization and as the enemy of humankind.

Building on the work of this Council, including especially resolution 1566 (2004), there is much that can and should be encouraged and developed beyond the capacity-building initiatives of the CTC. It is crucial that we take decisive action against terrorist incitement and against the regimes that allow terrorism and its support infrastructure to flourish, rather than shutting it down. The battle against terrorism will be won only if every State takes responsibility on the ground, according to its cardinal legal obligations, for the acts and encouragements to terrorism that emanate from its territory and if it is held accountable for its failures.

Our police departments, intelligence services and anti-terrorist experts must share knowledge and information. We must seek out modern technologies to protect civil aviation and homeland security, to combat the risks of the proliferation of weapons of mass destruction into the hands of terror organizations, to develop municipal responses, to share the experiences of medical first responders, and to seek channels for inter-religious cooperation. We have to examine aspects of terrorism's relationship with a range of legal and moral issues. Just last month, a three-day conference hosted by Israel's International Policy Institute for Counter-Terrorism in Herzliya allowed experts and practitioners from 35 countries to discuss all those issues.

Israel has with great interest offered its support to the counter-terrorism efforts of the CTC and to States and friends who seek to learn from our bitter experience. Israel has experts in a range of disciplines who could be at the Committee's disposal. Israel encourages the Counter-Terrorism Committee to intensify and expand its work so that it can effectively fulfil its mandate on the ground and begin to name, shame and isolate when necessary.

In closing, we must be reminded that the fight against terror must take place within the framework of domestic and international law, as stated, for example, in resolution 1566 (2004). In that context, it is important to appreciate that the fight against terrorism is itself a fight for the most basic of legal norms and the most basic of human rights: the right to life. The United Nations and the law must have an impact on implementation on the ground, providing safeguards against abuse and protecting the rights of innocents on all sides, but we should not provide a shield for the terrorists where none is warranted. We should not allow the law to be abused as a political weapon or to wrongly empower those seeking to take life, rather than those seeking to save it. Those individuals and their supporters who abuse and threaten humanitarian emblems, the sanctity of school rooms and even the safety of their own people have shown as little regard for the law as they have for life. They have no compunction about misusing our words and misrepresenting the law to serve their nefarious purposes. We must not let them.

Mr. Kupchyshyn (Ukraine): I have the honour to deliver my statement on behalf of Azerbaijan, Georgia, Moldova, Uzbekistan and my own country, Ukraine (GUUAM).

The time that has passed since the tragic events of 11 September 2001 has not extinguished the anger and indignation of humankind at those terrorist acts, nor has it soothed the pain and bitterness of the loss of innocent lives. The world continues to suffer from flagrant terrorist attacks perpetrated against innocent civilians, including children, women and elderly people. With feelings of deep sorrow, we learned of the tragedy that happened as the result of the capture by terrorists of a secondary school in the city of Beslan, in the Russian Federation, which claimed numerous victims. We have all been shocked at the many other recent terrorist attacks all over the world that have taken many innocent lives.

The GUUAM States strongly condemn terrorism in all its manifestations and call upon all countries to engage in full cooperation, both on preventing terrorist acts and on ensuring that their perpetrators are brought to justice. The reason behind terrorism is to create chaos and to disrupt the global system of peace and security established and promoted by our Organization. Therefore, the United Nations should continue to play a central part in our common struggle against

terrorism. In that fight, the leading role of the Security Council and its Counter-Terrorism Committee (CTC) should be preserved.

The GUUAM States are convinced that the Security Council should continue to use its unique potential in mobilizing the international community to fight terrorism. We trust that the establishment of an effective system of information exchange on terrorism would be helpful in preventing the spread of that evil. The framework for a global response to international terrorism, set by the Council, has to be maintained and reinforced.

We share the view that the CTC provides a valuable practical contribution to our common struggle. The CTC helps the world community to upgrade its antiterrorism capability and to deny space, money and support to terrorists. In that regard, resolution 1566 (2004) adopted by the Council earlier this month will further strengthen the essential coordinating role of the Council in the international campaign against the terrorist threat. We also hope that the Committee's Executive Directorate will be fully operational in the nearest future.

The CTC should continue to hold its proactive dialog with Member States. That achievement of the Committee will certainly help the international community to identify potential gaps and to find effective ways to address them. We welcome the CTC's activities in providing assistance to States for ensuring the effective implementation of Security Council resolution 1373 (2001). In that context, the GUUAM States would like to emphasize the importance of the endeavours of the Council to begin the visits of the CTC to States. In our view, such visits would facilitate the work of the mechanisms to monitor the implementation by States of their obligations and of providing appropriate assistance to them.

Promoting closer cooperation and coordination with international, regional and subregional organizations is also of the utmost importance. In our view, the Committee has had substantial achievements in that direction.

The GUUAM States, for their part, have committed themselves to consolidating their efforts in the fight against international terrorism and have reaffirmed their determination to provide political, legal and organizational bases for overcoming the challenges of international terrorism and related illegal actions. Attaching great importance to the strengthening of the GUUAM legal basis, the participating States have signed an agreement on cooperation in combating terrorism, organized crime and other dangerous types of crime, which, we hope, will soon come into force. Fully recognizing the danger posed by the use of the proceeds of crime to finance terrorist activities, the GUUAM Governments are examining the possibilities of establishing close interaction between GUUAM and the Financial Action Task Force.

In order to enhance cooperation within GUUAM on combating terrorism and organized crime, concrete projects are under elaboration. Furthermore, GUUAM has taken steps to establish interaction at the parliamentary level. The GUUAM Parliamentary Assembly, which was established less than a month ago, has defined one of its priorities as strengthening regional security and the fight against global terrorism, organized crime and illegal drug circulation.

In conclusion, let me emphasize that the character and scope of the CTC's mandate and working methods represent an important innovation and open up new possibilities for inter-State cooperation. I wish to reiterate GUUAM's continued support for the CTC in the discharge of its important duties.

Mr. Butagira (Uganda): For some years, Uganda has been fighting a lone battle in the northern part of the country against a brutal, vicious rebel group known as the Lord's Resistance Army (LRA). The group has killed, maimed or mutilated children as well as adults. They have no political agenda beyond sheer barbarism and cannibalism. Those horrors have not been on the radar of the international community, despite the fact that they are well known and documented. It took the events of 11 September 2001 for the world to realize that terrorism was a threat to international peace and security.

In the wake of the attacks of 11 September, the Security Council adopted resolution 1373 (2001), on counter-terrorism. The resolution was mainly aimed at Al Qaeda and the Taliban, and was limited in scope. Yet terrorism is terrorism, wherever it occurs and regardless of who commits it. Now, with the recent brutal murder of Russian school children, the point has been brought home that there should be no lull in the fight against terrorists. The delegation of Uganda therefore welcomes resolution 1566 (2004), which was

long overdue. Before I comment on that resolution, let me say the following.

Uganda has been pressured to talk to the murderous LRA rebels. Unfortunately, that has the effect of appeasing and encouraging the rebels in their murderous adventure. Terrorists should be fought, and not appeased. The crusaders of the gospel of peace talks have not, in the same vein, urged a dialogue with Bin Laden. Sometimes the double standards make one sick.

That said, Uganda has nevertheless offered to talk with the rebels. Not surprisingly, they have not responded, as they have no political agenda. Our offer to them still stands, if they lay down their arms. We also have an amnesty in place. Those who have responded have been welcomed and reintegrated into society. In the meantime, the war against them is almost over, with large numbers of rebel commanders captured or killed. I can do no better than to quote the words of one of the top rebel commanders to have been captured, Brigadier Kenneth Banya. He said, in appealing to his boss to respond to the amnesty, "Don't let the amnesty period expire while you are still in the bush. Time for rebellion is over. Don't go back to Sudan, where you will surely die."

Many abducted children and adults, including the terrorist leader's wives, have been freed. Internally displaced persons will soon go back to their homes. Although we still need humanitarian assistance, the situation is not as bleak as the one painted by our detractors. Children are going to school in the region, and the Government recently paid school fees for all students whose parents are in camps. We are grateful to agencies such as UNICEF for their assistance in that regard.

Resolution 1566 (2004) has made it clear that all intentional acts of violence against civilians are criminal and unjustifiable, whatever the motivation — whether political, philosophical, ideological, racial, ethnic or religious. That resolve on the part of the international community, as epitomized by the resolution, is commendable. Although the resolution falls short of coming out with a global blacklist of terror suspects and groups, it has nevertheless established a Security Council working group that will work on measures and procedures to deal with terror suspects outside of Al Qaeda and the Taliban. It is Uganda's hope that that process will be concluded soon, so that the likes of LRA or similar rebels are dealt with conclusively.

Terrorists must be brought to justice in order to discourage a culture of impunity. In Uganda we have asked the International Criminal Court to investigate and to have Joseph Kony, the leader of the LRA, and his gang prosecuted. Investigations are now taking place, and it is our hope that an international arrest warrant will soon be issued against them. We expect States to comply with such an arrest warrant by arresting said criminals if they happen to be on their territory. But we are saddened by some voices calling for Uganda to withdraw the case from the Court on the grounds that that would encourage Kony and his gang to attend peace talks. We are not impressed by that argument. There should be no compromise. Impunity must be punished if terrorist acts are to be discouraged.

Resolution 1566 (2004) calls for more effective procedures to bring to justice those involved in terrorist activities through prosecution or extradition, the freezing of their financial assets, preventing their movement through the territories of Member States and preventing them from being supplied with arms and related materials of any kind. Uganda has on numerous occasions, both in the open debates of the Council and in its relevant letters to the Council, which are part of this body's documents, called on the international community to institute such measures. My delegation is therefore glad that the Security Council has now come up with such proposals. We are also pleased that those measures are under Chapter VII of the Charter of the United Nations.

We call on all States to work together to eliminate the menace of terrorism.

The President: I now give the floor to the representative of the Republic of Korea.

Mr. Kim San-hoon (Republic of Korea): My delegation appreciates this opportunity to participate in this open debate. I also would like to thank Ambassador Denisov and Executive Director Rupérez for the briefings they gave this morning.

The Republic of Korea shares the view that the international community should redouble its concerted efforts to combat terrorism, which is sadly becoming bolder and more savage day by day. My delegation also shares the view that the Security Council should assume central authority in those endeavours.

We believe that resolution 1373 (2001) and the Counter-Terrorism Committee (CTC) have played a key role thus far in providing and coordinating a legal and institutional framework for international, regional, subregional and domestic undertakings in that regard. We greatly appreciate the CTC's ongoing assistance to individual countries to enhance their counter-terrorism capacity, particularly in the domains of law and administration. Those efforts should be further strengthened and upgraded through the full-fledged operation of the Counter-Terrorism Committee Executive Directorate. My Government has been, and will continue to be, active in cooperating with the CTC.

Along with the revitalization of the CTC, we attach great significance to the adoption of resolution 1566 (2004) earlier this month. My delegation commends the unity and solidarity that the Security Council has shown on that crucial matter. We followed closely the process of negotiating the text of the resolution, listening attentively to what Council members had to say. We believe that the effort to find common ground for defining terrorism and terrorists is an important exercise. The attempt to develop a consolidated list of terrorists throughout the world is also vital, even if the task is extremely challenging. The international community must come together on this issue. We cannot afford even the slightest crack in our united front against acts of terrorism.

The Republic of Korea looks forward to the establishment of a new Security Council working group, which we believe will broaden and enhance the capabilities of the international community to deal with terrorism.

In that context, we reiterate the importance of coordination and cooperation among the relevant subsidiary organs of the Security Council, including the Counter-Terrorism Committee, the Al Qaeda/Taliban sanctions Committee, the Committee established pursuant to resolution 1540 (2004) and the new working group, as well as between those groups and other international, regional and subregional entities that are involved in combating terrorism.

Each country must do its part in the global campaign against terrorism. In that regard, the Republic of Korea has taken a number of practical measures. Domestically, we have created a National Committee on Counter-Terrorism under the Office of the Prime Minister, which will coordinate all of our Government's counter-terrorism activities, reviewing and strengthening our legal and administrative framework. At the regional level, we have promoted international cooperation, most recently by hosting the Association of South-East Asian Nations Regional Forum (ARF) seminar on cyber-terrorism, which we co-chaired with the Philippines. That was the first time that the ARF had gathered to discuss this matter. In addition, we continue to pursue bilateral agreements on judicial mutual assistance, and we are already party to the 12 terrorism-related international conventions and protocols.

In closing, we believe that the United Nations must continue to promote cooperation by leading the way with bold ideas, and also by disseminating the ideas generated within regional and subregional groups. Only through concerted action at every level can we defeat the scourge of terrorism.

The President: I now give the floor to the representative of Malaysia.

Mr. Rastam (Malaysia): My delegation is pleased to address this public meeting of the Security Council. We welcome the report of the Counter-Terrorism Committee (CTC) on the implementation of resolution 1373 (2001) and the issuance of its work programme for its thirteenth 90-day period (S/2004/820, annex). We would like to express our sincere appreciation to Ambassador Andrey Denisov, Chairman of the Counter-Terrorism Committee, for his clear and comprehensive report and his presentation of the work programme, as well as for his personal commitment to the Committee's work. We also thank Mr. Javier Rupérez, Executive Director of the Counter-Terrorism Executive Directorate, for his presentation.

My delegation is encouraged by the reaffirmation that the Committee will intensify its efforts to monitor and promote the implementation by United Nations Member States of all aspects of resolution 1373 (2001), operating on the principles of cooperation, transparency and equal treatment.

My delegation welcomes the Council's August 2004 endorsement of the organizational plan of the Counter-Terrorism Committee Executive Directorate (CTED). The stage has now been set for the implementation of the plan to make the new structure operational. As the establishment of the CTED was aimed at strengthening the CTC and providing it with

additional tools and resources, we welcome the Committee's efforts to ensure the full operational status of the CTED, to maintain a close and cooperative relationship with the Executive Director and his staff and to further increase the Committee's capacity, including through enhanced cooperation with the Al Qaeda/Taliban sanctions Committee and the Committee established pursuant to resolution 1540 (2004).

I should like to inform the Council that Malaysia has fulfilled all its obligations as set out in paragraph 6 of Security Council resolution 1373 (2001). We submitted our fourth report on 17 September 2004 in response to the queries of the Committee. In that respect, we note the delay in the submission of reports by some Member States. We urge the Committee to identify the reasons behind the delay and take appropriate steps to assist those States. We might also ask whether the delay could be attributed to the process being burdensome to Member States, thus leading to a case of "reporting fatigue". This might then merit an effort by the CTC to find new and creative ways of handling the question of reporting by Member States.

We recognize that, in order for the Committee to be able to function effectively, visits by the CTC to Member States are essential. We note that the Committee has adopted general guidelines for conducting CTC visits to Member States. Through these visits, it can bring to the attention of the Council the shortcomings in the implementation by Member States of resolution 1373 (2001), highlighting some of the successes and failures, as well as providing recommendations to improve the overall process.

Malaysia cannot but further emphasize the importance of providing technical assistance to Member States to enhance their counter-terrorism capacity. We welcome the fact that this remains one of the fundamental commitments of the CTC. Raising national capabilities is not just a matter of transferring funding and know-how. It also requires permanently changing the priorities of the international community to ensure that Member States uphold their responsibilities and meet their commitments. We welcome the Committee's development of the Directory of Counter-Terrorism Information and Sources of Assistance, as well as the Assistance Matrix. We like the idea of not just Member States but also relevant organizations submitting information on international best practices, codes and standards relevant to the implementation of resolution 1373 (2001) and on assistance and guidance in implementing those best practices, codes and standards.

No region in the world is spared from the scourge of terrorism. In preserving the peace and stability of the South-East Asian region, there is a need for solidarity and a united response to terrorism and terrorists' activities among regional countries. Towards fulfilling that need, Malaysia has made an effort to establish the South-East Asia Regional Centre for Counter-Terrorism as a centre for training and capacity-building in the prevention of terrorist activities, the management of terrorism-related situations and the enhancement of public awareness about countering the threat of terrorism. Since its inception, the Centre has conducted and participated in various workshops, seminars and courses on terrorism to train and upgrade the capabilities of agencies and participants, both those from Malaysia and other interested parties. Malaysia is very appreciative of the support from all the countries of the Association of South-East Asian Nations, as well as positive responses from other countries, including the United States, the United Kingdom, France, Germany, Spain, Canada, Italy, Australia, Japan, New Zealand and the Republic of Korea, and from the European Commission. Malaysia also welcomes cooperation from other interested countries in organizing relevant training courses. The CTC may wish to examine the possibility of cooperating with the Centre.

In conclusion, my delegation wishes to reiterate Malaysia's commitment to work with other States to effectively contain and rout the threat of terrorism. Malaysia believes that, given the apparent reach of terrorist organizations and the threat they pose to the collective peace, security, stability and economic well-being of all nations, only a concerted and unified effort will enable the international community to succeed in this important undertaking.

Malaysia reiterates its commitment to comprehensively fight terrorism at the domestic, regional and international levels, in cooperation with all countries, in accordance with the norms and principles of international law and the Charter of the United Nations.

The President: I now give the floor to the representative of Nigeria.

Mr. Wali (Nigeria): I thank you, Mr. President, for convening this open meeting of the Security

Council to review the work of the Counter-Terrorism Committee (CTC). Permit me to also use this opportunity to express appreciation to the Chairman of the Committee for his briefing on the work of the CTC, as well as to commend the Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED), Ambassador Javier Rupérez, for the efforts made to implement the mandate of the Directorate.

Terrorism remains a serious threat to national, regional and international peace and security. It constitutes a deliberate violation of the fundamental principles of law, order and human rights and seeks to destroy both physical and economic infrastructure. Terrorism poses a grave threat to the territorial integrity and stability of States. The scope of this danger is captured in the following words of Secretary-General Kofi Annan,

> "Terrorism is a global threat with global effects. Its methods are murder and mayhem, but its consequences affect every aspect of the United Nations agenda — from development to peace, to human rights and the rule of law. No part of our mission is safe from the effects of terrorism, and no part of the world is immune from this scourge." (*S/PV.4618, p .3*)

No effort should be spared, therefore, to confront and eliminate this scourge from our world.

In that connection, we commend the CTC for its work in fulfilling its mandate of monitoring the implementation of Security Council resolution 1373 (2001).

It is noteworthy that, in the slightly more than two years since its creation, the Committee has been able to mobilize Member States in a sustained fight against terrorism. Indeed, as a result of its efforts, a growing number of Member States have either acceded to or ratified the various relevant multilateral conventions and protocols on the subject. In addition, the improved collaboration between the CTC and the Committee on Al Qaeda and the Taliban has generated confidence among Member States, which now share information, thus enabling the Committee to assess country-specific needs. Nigeria is particularly pleased that our country, along with two others in our subregion, just last week received the Monitoring Team of the Committee, with which valuable information was exchanged. We believe that this will enhance cooperation between the Committee and Member States.

The fight against terrorism is a daunting challenge. Despite our resolve, terrorists have continued to cross international boundaries and to wreak havoc in their victims' societies. The series of heinous attacks following the 11 September 2001 tragedy in New York — in Indonesia, India, Turkey, Kenya, Egypt, Saudi Arabia and Spain — as well as the dastardly murder of the Special Representative of the Secretary-General and 21 others in Baghdad, show how depraved terrorists are. It is therefore necessary that we not let down our guard as far as terrorists are concerned.

We urge all Member States to sign and ratify the main anti-terrorism multilateral treaties and to implement the relevant resolutions, particularly the International Convention for the Suppression of the Financing of Terrorism and Security Council resolution 1267 (1999) imposing sanctions on Al Qaeda and the Taliban. Such action would send a powerful message as to the resolve and unity of the international community to fight terrorism and would lead terrorists of whatever stripe to realize that they have no safe haven.

We believe that the CTC must be adequately funded and staffed in order to continue its work. We should also ensure that adequate technical assistance is extended to States, especially developing countries, which are largely ill-equipped to meet the reporting needs of the Committee. Of no less importance is the need for Member States to close those loopholes that enable terrorists to acquire arms.

We commend the workshops and training courses on combating crimes related to international terrorism, organized by the United Nations and other organizations, including the International Civil Aviation Organization, the International Maritime Organization and the International Atomic Energy Agency. We believe that this will strengthen the capacity of Member States to contribute to global efforts to combat terrorism.

We believe that the publication of the second volume of the United Nations Legislative Series — comprising national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations – will serve as a useful tool towards the same end. We urge the CTC to

explore further areas of collaboration, pursuant to its mandate.

The disagreement on articles 18 and 2 bis of the draft comprehensive convention on international terrorism and on article 4 of the international convention on the suppression of nuclear terrorism has stalled efforts to finalize work on the two legal instruments.

Nigeria is concerned that the apparent lack of progress in reaching consensus on the draft conventions might have the negative effect of sending the wrong signal to the perpetrators of terrorist acts. My delegation therefore calls on all others to demonstrate the required flexibility and political will in order to arrive at a consensus and finalize those instruments without prejudice to respect for fundamental human rights, the rule of law and other democratic principles.

Our common endeavour to fight terrorism should go hand in hand with determined efforts to identify and eliminate those factors that fuel it. Its root causes include festering conflicts exacerbated by the proliferation of small arms and light weapons as well as by illicit arms trafficking across borders, in addition to pervasive poverty, particularly in developing countries. We should deny terrorists any opportunity to use or exploit those factors to further their causes.

Nigeria reaffirms its commitment to the full implementation of the mandate of the Counter-Terrorism Committee and that of the Counter-Terrorism Executive Directorate, and of the relevant international conventions and protocols for combating terrorism. In accordance with Security Council resolution 1373 (2001), we have established the appropriate mechanisms to give effect to its provisions.

In our subregion, we have intensified collaboration with other member States of the Economic Community of West African States (ECOWAS) to confront the menace. In a few days' time, ECOWAS will host a meeting on strategies to combat terrorism and related crimes, such as drug trafficking, trafficking in humans, and money laundering. At the continental level, the African Union has been engaged in effort to curtail terrorism in all its manifestations. For example, at the second High-level Intergovernmental Meeting on the Prevention and Combating of Terrorism in Africa, held at Algiers from 13 to 14 October 2004, African countries resolved to create an African centre for the study of and research on terrorism.

In conclusion, Nigeria remains convinced that international cooperation is indispensable to a successful campaign to counter and neutralize this transnational crime. I wish to reiterate Nigeria's unwavering commitment and support towards that end.

The President: The next speaker is the representative of Samoa, to whom I give the floor.

Mr. Elisaia (Samoa): It is my honour to address the Council on behalf of the members of the Pacific Islands Forum group of countries that maintain permanent missions in New York, namely Australia, the Federated States of Micronesia, Fiji, the Republic of the Marshall Islands, Nauru, Papua New Guinea, Palau, New Zealand, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Samoa.

The countries of the Pacific Islands Forum group reaffirm our unequivocal condemnation of terrorism in all its forms and our continuing determination to fight it by all means possible, consistent with human rights and the rule of law.

Recently we have witnessed once again the horror of terrorist atrocities — in Beslan, in Jakarta and elsewhere. Those attacks underline the fact that while terrorism may transcend national borders, its indiscriminate nature means that no people or country will ever be immune to the threat of terrorist violence.

Terrorism is now more than ever a threat that must be confronted by a collective international response. It is clear that if we are to effectively eliminate this global threat, we must take action at the national, regional and international levels.

Pacific Islands Forum members are committed, individually and collectively, to the international campaign against terrorism. In the 2002 Nasonini Declaration on Regional Security, Pacific Forum leaders

> "underlined their commitment to the importance of global efforts to combat terrorism and to implement internationally agreed anti-terrorism measures, such as United Nations Security Council resolution 1373 (2001) and the Financial Action Task Force Special Recommendations".

Subsequent communiqués by Forum leaders have reiterated Forum members' commitment to combating terrorism.

The Pacific Islands Forum continues to support the work of the Counter-Terrorism Committee (CTC) established under Security Council resolution 1373 (2001). We also welcome the recent adoption of resolution 1566 (2004), which further endorses the work of the United Nations committees responding to terrorism and establishes a working group to consider further measures which could be taken. In our most recent statement on this issue in March 2004, we welcomed the report of the CTC on its revitalization and the establishment of the Counter-Terrorism Committee Executive Directorate (CTED), aimed at improving the ability of the CTC to monitor the implementation of resolution 1373 (2001). We look forward to cooperating closely with the CTED in identifying and providing the capacity-building needed most by small developing countries.

Security Council resolution 1373 (2001) introduced important new multilateral counter-terrorism obligations. It set out clear requirements and called on States to implement specific measures to meet them and then to report back to the CTC on their actions taken in that regard. For Pacific Islands Forum members, the focus to date has been on cooperation to improve our capacity to meet international counter-terrorism obligations. Pacific Islands Forum members are continuing to cooperate bilaterally and regionally, in both political and technical spheres, to implement resolution 1373 (2001).

Progress is being made. In May 2004, New Zealand hosted a Pacific round table on counter-terrorism. It brought officials from around the Forum region together to take stock of the range of current and imminent counter-terrorism obligations, canvass impediments to implementation by Pacific island countries and to review current and future capacity-building programmes.

At the Pacific Islands Forum meeting in Samoa this year, leaders called for enhanced cooperation on counter-terrorism and endorsed a number of practical initiatives proposed by round-table participants. Those included establishment of a network of central contact points, a counter-terrorism working group in advance of the 2005 meeting of the Forum Regional Security Committee, further work on extradition and mutual legal assistance and coordination of views on the possibility of holding a regional counter-terrorism contingency planning exercise. Leaders also welcomed the establishment of the Pacific Transnational Crime Coordination Centre (PTCCC) in Suva, Fiji, which will harness and enhance the law enforcement intelligence generated by national transnational crime units.

Those regional efforts underscore the willingness of Pacific Forum States to play a responsible and meaningful role in the global fight against terrorism. But for those initiatives, including the PTCCC, to be fully operationalized, financial and technical support will be required from the international community to complement the region's own resources.

While Pacific Islands Forum members remain firmly committed to the international campaign against terrorism, I would like to emphasize that the Pacific Islands Forum group consists primarily of developing States, many of them small island States. We note that small developing countries do not always have opportunities to provide input into the process of developing international counter-terrorism standards. As a result, such standards may not adequately reflect or make allowances for the challenges that many of us face in implementing them. Compliance with the raft of international counter-terrorism standards — particularly those introduced since 9/11 — has been challenging; meeting reporting requirements, including to the CTC, is equally so.

It is not a lack of will, but more often a lack of resources and technical expertise, that prevents us from fulfilling our commitments. Thus we welcome and encourage consultation between Member States and the CTC that aims to extend assistance to small and developing States and that are focused on devising practical solutions to those challenges — solutions that help reduce the burden on smaller developing States but that will also ensure that the important CTC reporting requirements can be met. For example, we would encourage the CTC to consider whether a Pacific regional report, submitted by the Pacific Islands Forum Secretariat on behalf of and in close cooperation with its member countries, might provide a possible option to assist those small island countries to meet their reporting obligations to the CTC.

We live in a time when terrorism is a threat to us all. As we strive to meet that threat and as we work to implement the letter and spirit of resolution 1373

(2001), the Security Council and the Counter-Terrorism Committee can be assured of the continuing support of the members of the Pacific Islands Forum.

The President: I now give the floor to the representative of El Salvador.

Ms. Gallardo (El Salvador) (*spoke in Spanish*): On behalf of the delegation of El Salvador, Mr. President, we would like to say how gratified we are to see you presiding over the Council for the month of October. We are also grateful to you for giving us the opportunity to speak on this topic, which is of such great importance and concern for all members of the international community.

At the end of the general debate during the present session of the General Assembly, it was clear that one of the priorities of each and every State is national, regional and international security. For all of us threats and challenges have gained a global dimension, with no frontiers or limits to their destructive forces, and are having a tremendous impact on the political, social and economic order of our peoples. Those global challenges surpass the capacity of individual States to address and, therefore, require a consistent, coordinated and comprehensive response from a multilateral perspective.

The scope and impact of terrorist acts committed in recent years in the United States, Spain, Russia, Indonesia and the Middle East, among others, demonstrate the reality of terrorism as a permanent threat to all nations. We are thus compelled to further strengthen all possible anti-terrorism cooperation mechanisms at the bilateral, subregional, regional and global levels.

El Salvador cannot hold back from or ignore the importance of the fight against terrorism and the efforts that are being made to establish a safer, more stable world, particularly from the standpoint of collective security. In that regard, my country, having lived through a civil conflict in the 1980s in which violence and terrorism had a tremendous impact on the Salvadoran people, cannot forget that our commitment to the international community impels us to seek all initiatives and mechanisms designed to prevent violence. We are convinced that the security and stability of the nation is an essential prerequisite for the implementation of a national development plan aimed at improving living conditions for the population.

El Salvador supports all measures and initiatives to promote the goals mentioned earlier, and in that regard and in keeping with our capacities and resources we have implemented the commitments and undertakings that we have committed ourselves to within the framework Organization of American States and the United Nations to combat international terrorism in all its manifestations. El Salvador is a party to the Inter-American Convention Against Terrorism. We have participated actively in the work of the Inter-American Committee Against Terrorism. We also hosted the third session of that Committee in January 2003.

We must emphasize that security in the hemisphere is a priority for the countries in our region, and we try to strengthen it by promoting measures to increase mutual confidence and security. That is why we participated with great alacrity — and in order to acquire more experience in the area — in the special conference on hemispheric security held in Mexico in October 2003. That meeting elaborated a multidimensional approach to traditional and new threats, ranging from human security to State security and including aspects of democratic and cyber security. In addition, at the Ibero-American level, El Salvador ratified the Ibero-American convention against terrorism. Within the United Nations context, of the existing 12 anti-terrorism conventions and protocols, El Salvador has ratified 11, and we are in the process of ratifying the Convention on the Physical Protection of Nuclear Material.

Turning to the implementation of resolution 1373 (2001), which established the CTC and set out its mandate, El Salvador has taken the necessary measures to comply with it. For example, we have submitted four national reports and are about to hold a meeting to determine what cooperation we need in order to fully comply with the recommended measures to fight terrorism.

At the national level in El Salvador, we have created an Inter-Institutional Group Against Terrorism to coordinate national efforts and contribute to preparing the CTC reports. This institution will be important in following up, evaluating and recommending the measures and strategies for combating terrorism that our Government considers timely. Currently, the Inter-Institutional Group is working on drafting a special law against terrorism that will directly link our national legislation with the

international conventions and protocols adopted on this issue.

At the Central American level, we are following up on the Central America's united declaration against terrorism adopted in September 2001, to examine and adopt coordinated measures to promote the fight against this scourge. Far from duplicating initiatives, it is about cooperating on the commitments and objectives established in the implementation of the Central American Democratic Security Model, created in 1995, which is followed up and coordinated by the secretariat for the Central American Integration System.

As regards the efforts of our Organization in combating terrorism, it has been said that the United Nations contribution has been negatively affected by the imposition of some mandates and programmes and by certain deficiencies in the general response and in specific mandates, as well as in the amount of resources assigned to carry out these measures. This situation was reflected and acknowledged in the advisory group's report on the United Nations and terrorism. This situation, we feel, must be examined substantively and in depth in order to make any necessary changes and thus meet the expectations of States.

In this regard, we feel that in order to improve the effectiveness and efficiency of United Nations efforts against terrorism, we need to rely on the following elements. The United Nations must be a coordinating centre of the fight against terrorism. Its mandate should promote an ongoing multilateral effort, and it should implement a coordinated policy between United Nations organizations and national, regional and global organizations, as seen in resolution 1566 (2004). Multilateral action should be unified, coherent and consistent, with a joint vision that must be evaluated periodically in order to introduce any corrections that are necessary in the fight against terrorism.

We must examine and rationalize mandates and the use of resources to be more effective in our anti-terrorism goals. We therefore support the establishment of a unit within the United Nations system to centralize decision-making in an ongoing and impartial manner. It is important that technical assistance and cooperation between Member States in the fight against terrorism, particularly as regards developing countries, be more practical and expedient, so as to improve the capacity of those countries.

We share the Secretary-General's view contained in his report on the work of the Organization that combating terrorism:

> "must not take place at the expense of the fundamental freedoms and the basic dignity of individuals. Success in defeating terrorism can come only if we remain true to those values which terrorists eschew." (*A/59/1, para. 77*)

In my delegation's opinion, it would be extremely worthwhile and important to create a group of eminent personalities with a mandate to prepare a report on the reasons and causes that drive people to commit terrorist acts. Through that diagnosis of reality, hopefully measures corresponding to that reality can be adopted.

I would like to conclude by pointing out two issues that in our opinion are fundamental and complementary. From the United Nations perspective, we support the efforts under way to draft a comprehensive convention on terrorism and an international convention concerning the suppression of nuclear terrorism, which would formally complete the international legal framework for fighting terrorism. We deem timely the holding of a high-level conference under the auspices of the United Nations to formulate an organized joint response to terrorism in all its forms and manifestations, which would bring us closer to a definition of terrorism and of the difference between terrorism and the right to self-determination.

Finally, we feel that the security and stability of every State can be better guaranteed if the fight against terrorism is complemented with efforts to eliminate the structural causes that lead to desperation and to the formation of radical positions within societies.

In order to comply with the purposes and principles established in the Charter to promote friendly and cooperative relations among States, including the fundamental principle of respect for human dignity, my country reiterates its full commitment to you, Mr. President.

Mr. Rock (Canada): Canada welcomes the report today of the Counter-Terrorism Committee (CTC) with respect to its structure and activities. We want to congratulate the Chairman and the members of the CTC for their very productive work. Canada also

welcomes this occasion for an open debate. We understand what an investment of time it is by the Council, but we do regard it as a valuable opportunity, not only to generally remind States of our collective responsibility in relation to terrorism, but also to permit us to give an account of our own activities that are consistent with the priorities identified by the Council.

We very much appreciate the progress the CTC has made, particularly in taking its work into a new phase with the establishment of the Counter-Terrorism Executive Directorate (CTED). The CTED will now permit the Committee to take its organizational plan, adopted in August, to the next stage. The Executive Director will have flexibility in taking that work forward, and we anticipate the implementation of the plan, along with the setting of priorities and objectives, because the critical work of the CTED must have a clear sense of direction.

We also understand that positive consideration is being given to hiring a human rights expert. Canada welcomes that development. We strongly support such a step. Part of the work of the Directorate will clearly be to coordinate technical assistance. In that respect, allow me to say that Canada is establishing a counter-terrorism capacity-building programme as part of our new national security policy. The objective of the programme will be to provide training, technical and legal assistance and expertise to enable partner countries to prevent and respond to terrorist activity in a manner that respects international human rights norms and standards.

This Canadian programme is intended to respond to the call in Council resolution 1456 (2003) for States to assist one another to improve their capacity to prevent and fight terrorism. The Government of Canada takes this responsibility very seriously, recognizing that this global threat requires a global response. We will work closely with the CTC, with participants in the Group of Eight's Counter-Terrorism Action Group and with others to engage in joint activities to ensure that this assistance is provided in a coordinated manner.

(spoke in French)

Canada would also like to take this opportunity to welcome the adoption, at the initiative of the Russian Federation, of resolution 1566 (2004). The United Nations plays a central and coordinating role in the global fight against terrorism. We therefore appreciate the efforts of the Security Council to involve States not members of the Council in these issues. We trust the Council will continue these efforts to provide opportunities such as today for all Member States' views to be heard and taken into account. Transparency and inclusiveness, wherever and whenever possible, strengthen the effectiveness of the Organization's efforts in the fight against terrorism.

The President: I thank the representative of Canada for his admirable concision.

I now call on the representative of Nepal.

Mr. Sharma (Nepal): Thank you very much, Mr. President, for providing the general membership of the United Nations with the opportunity to share their views on threats to international peace and security caused by terrorist acts.

Indeed, terrorism has become a major threat to international peace and security. It has claimed mostly innocent victims, whether in New York, Washington, D.C., Riyadh, Moscow, Bali, Beslan, Madrid, Casablanca, New Delhi or Multan. Nepal, too, is being devastated by terrorism. The so-called Maoists have been waging a war of terror in the Himalayan Kingdom, brutally killing ordinary people, abducting children, destroying private property and public infrastructure and extorting money from the people. Besides, our people have yet to overcome their revulsion at the slaying in cold blood of 12 innocent Nepalese hostages by militants in Iraq. There is no moral, ethical, political or other type of justification for acts of terrorism, and Nepal strongly condemns terrorism in all its forms and manifestations.

Confronting terrorism requires efforts at the national, regional and global levels. His Majesty's Government is seeking dialogue to find a peaceful settlement to the Maoist problem. Meanwhile, the Government is also committed to protecting the life and property of people by strengthening security measures. We have recently reinforced legal provisions to effectively combat terrorism. At the regional level, Nepal has been working very closely with other South Asian countries to find a durable framework and tools to tackle the problem of terrorism. At the global level, we recognize the centrality of the United Nations. We support the global war on terror, and we commend the United Nations for its efforts to address the menace of terrorism.

The Security Council is at the forefront of United Nations counter-terrorism measures. The Security Council Committees established pursuant to resolutions 1267 (1999) and 1373 (2001) have been doing remarkable work that should be continued. Nepal has been working closely with those Committees and hopes that the Counter-Terrorism Committee (CTC) will be able to support us in meeting our reporting obligations. Resolution 1566 (2004) of 8 October 2004 added a new building block to the United Nations endeavour to grapple with this menace; it will help dry up the sources of funding for terrorist acts and groups.

We sincerely hope that the working group constituted pursuant to resolution 1566 (2004) will help foster international cooperation, suggest practical measures and implement a common and coherent strategy to come to grips with terrorism. Nepal welcomes and supports the Council's adoption of resolution 1566 (2004). We are prepared to work in close collaboration with the working group. That being said, Nepal would have appreciated it if the Council had had an open debate before a resolution of such overarching significance was adopted.

In our view, Security Council resolutions against terrorism are extremely important, but they are largely stopgap measures with no legislative foundation. To put in place a lasting framework for international cooperation aimed at dealing with the problem of terrorism, we need to agree on the draft comprehensive convention on international terrorism and on the draft international convention for the suppression of acts of nuclear terrorism. Nepal calls on Member States to redouble their efforts to have those draft conventions finalized and adopted on a priority basis. The conventions will embody humanity's collective will and determination to confront the scourge of terrorism. They will not be a panacea, but they will certainly go a long way towards mitigating and minimizing the threat of terrorist acts.

The President: I now call on the representative of Indonesia.

Mr. Percaya (Indonesia): I should like at the outset, on behalf of my delegation, to express our sincere appreciation to the members of the Security Council for convening this open debate on the agenda item "Threats to international peace and security caused by terrorist acts". I would also like to take this opportunity to express our appreciation to the Chairman of the Security Council's Counter-Terrorism Committee, His Excellency Mr. Andrey Denisov, for his informative briefing on the activities of the Committee.

The Government of Indonesia has consistently been of the view that we need global cooperation and involvement — with the United Nations at its centre — to effectively combat international terrorism. It is to the Organization that Member States must turn to ensure that the instruments for eradicating this menace are multidimensional in nature. Indonesia believes that, in the absence of such approaches, solutions can be only temporary and limited in nature. It is self-evident that such approaches will be successful only if they are carried out under multilateral auspices. Without such an approach, efforts to deal effectively with terrorism will only fall short of their fundamental objectives.

Long before the terrorist attacks in September 2001, we ourselves were the unfortunate victims of acts of terrorism. We know very well the pain, the suffering and the devastating effects that terrorists have brought to our society. As a result, Indonesia has begun to enforce various measures to mitigate this menace. At the national level, a series of decisions and steps have been taken, not only to expose the perpetrators of terrorism but also to successfully prosecute them. Those measures have been carried out strictly within the framework of the rule of law, democratic processes and non-discriminatory norms, and they have thereby gained the public's confidence. Indonesia, bearing in mind that terrorist networks and activities transcend national boundaries, has been cooperating at the bilateral, regional and multilateral levels.

Indonesia welcomes the adoption of Security Council resolution 1566 (2004) on international terrorism. We believe that its unanimous adoption will further intensify the international community's efforts to combat this evil. The resolution not only condemned all acts of terrorism in all their forms but also stressed the need to strengthen judicial cooperation — particularly with respect to prosecution and extradition — which has been recognized as a fundamental principle. The resolution also established a working group whose task will be, among other things, to consider and submit information regarding individuals, groups or entities involved in or associated with terrorist activities.

Indonesia recognizes that seeking to impose practical measures to prevent and punish terrorists is

only one side of the coin. The other side is ensuring that such measures are taken in accordance with international law and with respect for human rights. In this context, we believe that the working group would benefit from lessons learned and the experience of the Al Qaeda sanctions Committee in establishing a consolidated list.

I should like now to turn to the CTC work programme for the thirteenth 90-day period, which covers the months October through December 2004. Indonesia welcomes and supports the programme, which in our view will continue to enhance the effectiveness of our counter-terrorism measures. In this connection, Indonesia supports measures intended to enhance the counter-terrorism capabilities of Member States.

Finally, I would like to stress the conviction of Indonesia that terrorism is the problem of every nation and that we can best fight and vanquish this menace through multidimensional and multilateral approaches based on international law and respect for human rights. Indonesia is one such party and, as we have stated in the past, we stand ready to take the necessary measures and to work with other States and organizations to ensure that terrorism will run out of room to hide and that it is defeated.

The President: The next speaker is the representative of Egypt, on whom I now call.

Mr. Aboul Atta (Egypt) (*spoke in Arabic*): The Security Council is meeting today to discuss one of the most serious challenges of our world today, one that threatens the security and safety of our societies: international terrorism. Despite the many successes of United Nations efforts in the area of counter-terrorism, particularly in coordinating the efforts of States with one another and with the United Nations, such efforts still need the support of the international community if we are to tighten the grip around the terrorists' throats and deprive them of any financial or political assistance.

My delegation would like to deal with some of the elements of our vision of what the Organization needs if it is to achieve its objectives efficiently and effectively.

First, our experience has shown that in our fight against terrorism, we must not be blind to the fact that it is not the product of a single culture, nor does one region have a monopoly on it. The fight against terrorism should not be limited to political and security aspects; terrorism is a multidimensional phenomenon that must be addressed comprehensively, including at the political, economic, security and legal levels. We must also deal with the conditions that some use to try to justify it.

Secondly, on the basis of our support for international efforts aimed at formulating a clear vision of counter-terrorism, Egypt has called for the holding of a high-level international conference under the auspices of the United Nations to deal with the phenomenon, which would also address the issue of a comprehensive legal definition of terrorism.

Thirdly, the most effective way to deal with terrorism is to do so within a legal framework that takes into account the principles of international law, including international humanitarian law, and the importance of distinguishing between terrorism and legitimate armed struggle. Such a framework would make the distinction between terrorist acts, which must be criminalized, and the popular expression of political demands, which are legitimate — thus paving the way for the international community to take a collective response in isolating terrorist elements and laying bare their illegitimate objectives.

Fourthly, we should underline the centrality of the role of the United Nations in coordinating international efforts to combat terrorism, emphasizing the universality of such efforts for all States, without exception. In that context, we must consider increasing and revitalizing the role of the General Assembly. The Assembly has in the past played a very important role in fighting terrorism, and we must revitalize its work in order to finalize the draft comprehensive conventions on international terrorism and on the suppression of acts of nuclear terrorism. But the General Assembly's counter-terrorism efforts go beyond the task of drafting those two conventions. Thus in our statement to the Assembly we proposed the establishment of an open-ended working group, with a view to making the Organization more efficient, effective and capable in confronting terror.

Fifthly, there can be no doubt that the Counter-Terrorism Committee has proved that it is a vital and effective tool for confronting terrorism. We reaffirm once again the role of the United Nations in dealing with international challenges. The adoption by the

Security Council of resolution 1566 (2004) gives the Committee further responsibilities. In this context, we would like to express our appreciation for the briefing by the Chairman of the CTC, in which he set out the Committee's priority work for the forthcoming period and addressed the issue of the implementation of resolution 1566 (2004).

We would like to take this opportunity to underline some of the elements that were reflected in consultations among Member States on the resolution.

First, they stressed the importance of maintaining the General Assembly's role in confronting international terrorism and dealing with sensitive matters, such as producing a clear definition of terrorism that enables the international community to deal properly with the phenomenon and not to confuse terrorism with the right to legitimate armed struggle, which is legal under international law and international instruments.

Secondly, they emphasized the importance of relying on the provisions of international conventions aimed at international cooperation, rather than at increased resort to Chapter VII of the Charter in this matter, which indicates the inability of the United Nations to adopt such measures.

Thirdly, they underlined the importance of the Committee's taking into account the provisions of international law and legal safeguards in its work.

The President: The next speaker inscribed is the representative of Fiji, to whom I give the floor.

Mr. Kau (Fiji): Fiji associates itself fully with the statement made earlier on this subject by the Permanent Representative of Samoa on behalf of the Pacific Islands Forum. We join him and millions of others throughout the world in condemning terrorism in all its forms and manifestations, and acknowledge that the heinous and despicable acts of terrorist violence that continue to be witnessed around the world today pose a serious threat to national and international security, to peaceful relations between States and to the harmonious functioning of democratic institutions worldwide.

Fiji is participating in this debate fully aware that our small island country and those of our neighbours in the Pacific region can no longer claim that distance insulates us from the direct and indirect effects of terrorism.

For those of us who hail from nations where there is a general reliance on a few commodities or a handful of products that form the backbone of our economic survival, threats that directly impact those products could have an irreversible effect on the lives of our people. A terrorist attack could potentially obliterate our tourism industry, for instance, and as we have seen in other areas of the world, it would take us an enormous time to recover. Put simply, the short-term economic and social devastation caused by a terrorist act against our small island economies would be far worse than the effect of any natural disaster recently experienced.

Regrettably, terrorism generally is often associated with a particular religion. Some of our citizens have experienced difficulties in transiting international borders because of cases of mistaken identity. This is the small price that some of our people will face as a result of our resolve to clamp down on the perpetrators of such heinous terrorist activities. In our joint effort to combat terrorism, we again call for full respect for and observance of the rule of law and all human rights and fundamental freedoms, as defined in the relevant international instruments and, where applicable, in international humanitarian law.

Fiji joins others in emphasizing the importance of the universal and full implementation of Security Council resolution 1373 (2001) and other counter-terrorism related Security Council resolutions. We also welcome the efforts that are currently being exerted to refine and improve the working methods of both the Security Council Counter-Terrorism Committee and the Security Council Committee established pursuant to resolution 1267 (1999).

We commend the Council for promulgating its latest resolution 1566 (2004) and in particular the provision for setting up a working group to consider and submit recommendations on practical measures to be imposed upon those involved in or associated with terrorist activities, other than those designated by the Al Qaeda/Taliban Sanctions Committee, including more effective procedures considered to be appropriate for bringing them to justice through prosecution or extradition, freezing of their financial assets, preventing their movement through the territories of Member States, and preventing supply to them of all types of arms and related material.

Fiji further supports the establishment of an international fund, as envisaged in resolution 1566 (2004), to compensate victims of terrorist acts and their families. Having said that, we would also like to respectfully emphasize the importance of not losing sight of our moral duty to address the legitimate grievances caused by despair, resentment, ignorance and poverty. The elimination of the root causes of terrorism requires the establishment of international relations based on sovereign equality, multilateralism and justice, the eradication of exploitation, oppression and social inequality, and the promotion of sustainable development.

In conclusion, my delegation acknowledges that regional and subregional organizations play a critical role in enhancing the effectiveness of global action against terrorism. We therefore support the call made earlier on behalf of the Pacific Islands Forum for the CTC to consider whether a Pacific regional report, submitted by the Pacific Islands Forum Secretariat on behalf of, and in close cooperation with, its member countries, might provide a possible option to assist our small island countries in meeting their reporting obligations to the CTC.

Ms. Holguín (Colombia) (*spoke in Spanish*): I am grateful to the Ambassador of the Russian Federation for his comprehensive presentation the Counter-Terrorism Committee's (CTC) activities. We would like to reiterate that Colombia recognizes the progress achieved by CTC. We welcome its increasingly strong promotion of global implementation of resolution 1373 (2001) on the basis of the principles of cooperation, transparency and equal treatment. We also welcome progress in terms of the structure of the Committee, the work of its Executive Director and his team, and the help given to countries wishing to implement 1373 (2001).

In this connection, Colombia would like to inform the international community that on 14 September it acceded to the International Convention for the Suppression of Terrorist Bombings, and has ratified the International Convention for the Suppression of the Financing of Terrorism. We believe that resolution 1566 (2004) adopted by the Council on 8 October renews its will to combat terrorism in all its forms. It is an important step forward in the world's struggle against terrorism by creating a working group to examine the possibility of imposing measures on persons or groups associated with terrorist activities other than those designated by the Al Qaeda/Taliban sanctions Committee.

That reiterates Colombia's position to the effect that there is only one type of terrorism, and it must by fought with equal determination everywhere. The international community's commitment to combat terrorism must be unambiguous. We reaffirm that there is only one type of terrorism. All of its victims are innocent and equal. We cannot have first and second-class types of terrorism when its effects are the same on society. Terrorism is not unfamiliar to Colombians. We suffered its deplorable effects for decades. It creates terror, undermines confidence, violates people's rights to life and security, which are recognized in the Universal Declaration of Human Rights.

Cooperation among countries to combat and eliminate the terrorist threat must be strengthened with mechanisms that make it possible to implement joint programmes and policies to strengthen the rule of law and protect society from this scourge.

Cooperation is indispensable to efforts to uncover the sources of terrorism and its physical and intellectual authors. It is necessary to prevent terrorism from finding refuge in third countries, and financial controls are important to prevent the financing of terrorist acts. Terrorism, illegal drugs, arms trafficking and transnational organized crime are all interlinked. They all create insecurity and violence. The whole world is affected by terrorism, and that is why we feel it is a common problem with no distinctions or categories. The nature of an act of terrorism is determined not only by the place in which it is committed and its global or national scope, but also by the origin of its sponsors and the money that funds it. It has been proven that the international financial networks used by terrorism are similar to those that deal in illicit drugs and illicit weapons. Our frontal attack on terrorism must include campaigns against related crimes on the basis of the principle of shared responsibility. We reiterate our support for the work of the Security Council and the CTC in the struggle against this universal scourge. Only cooperation within the international community with the legal action and police activity demanded by the resolution will succeed against terrorism.

Mr. Stagno Ugarte (Costa Rica) (*spoke in Spanish*): First of all, I would like to congratulate you for having convened this debate on the work of the

Security Council's Counter-Terrorism Committee exactly at the time when the General Assembly is examining international terrorism. We trust that this auspicious convergence will enable the members of the Security Council to hear the opinions of the other members of the international community as regards the direction that United Nations activities against international terrorism should take.

Counter-terrorism is one of the greatest challenges before the international community. As the Secretary-General said, "By its very nature, terrorism is an assault on the fundamental principles of law, order, human rights and the peaceful settlement of disputes upon which the United Nations is established" (S/PV.4618). That is why we categorically condemn terrorism in all its forms and manifestations, irrespective of where it happens or who its sponsors are. There is no political, philosophical, racial, ethnic or religious justification for that crime. It goes without saying that the two most important events in the last three months as regards counter-terrorism in the United Nations were the adoption of resolution 1566 (2004) and the adoption of the plan for the Executive Directorate of CTC. My delegation interprets the recent adoption by the Security Council of resolution 1566 (2004) as sending a new signal of its resolute desire to confront international terrorism. Costa Rica welcomes the sixth preambular paragraph of the resolution, where the Council reminds all States that any measure taken to combat terrorism must be consonant with international law and, in particular, human rights law, humanitarian law and the rights of refugees. We note with equal gratitude that the resolution emphasizes legal and police mechanisms to combat terrorism. Practical experience has shown us that this is precisely the type of action that is most effective in preventing international terrorism. As regards the principle of aut dedere aut judicare referred to in operative paragraph 2, we must recognize that this is not yet part of international common law. Therefore, it must be incorporated into international treaties on legal cooperation, if it is to be truly effective. Similarly, operative paragraph 3 does not meet the requirements, from a technical legal point of view, for functional definition of a crime. We understand that these two paragraphs are political statements, and not legal enactments, however, we would like to highlight that the Security Council can not carry out a task of codifying international criminal law, because that task is incumbent on the international community as a whole.

The Security Council is not a legislative body. Under the Charter, its mandate is confined to specific situations or specific disputes that endanger international peace and security. It can adopt binding measures only insofar as those measures are designed to resolve specific conflicts or deal with specific situations. The adoption of norms with general application is the prerogative of the international community as a whole, and is accomplished by negotiating treaties or through the formation of binding customary law.

We agree fully with the distinguished delegation of Brazil that there was no need to adopt those two paragraphs, under Chapter VII of the Charter. Furthermore, my delegation notes with interest the establishment of a working group to consider new, practical measures and procedures to deal with international terrorism carried out by groups that are not part of the Al Qaeda and Taliban network.

We feel it is indispensable that any measure recommended to the Council by the group be consistent with international human rights law and international humanitarian law, and in particular, the principles of due process and non-refoulement. We urge the working group to consider and adopt clear-cut guidelines so that the inclusion or exclusion of persons from the list of sanctions scrupulously respects the highest possible international standards of evidence and due process.

Similarly, we appeal to the Counter-Terrorism Committee (CTC) to promote respect for fundamental rights and guarantees as a method of preventing terrorist acts. My delegation welcomes the adoption by the Security Council on 12 August 2004 of the organizational plan of the Counter-Terrorism Executive Directorate (CTED). However, we feel that this is just a temporary measure.

Costa Rica believes that the United Nations must adopt a single permanent and centralized policy to prevent, prosecute and punish international terrorism. It is imperative that the United Nations take the lead in combating international terrorism, through the adoption of a consistent strategy that promotes multilateral coordination and multifaceted action against such crimes. It is therefore necessary to

permanently institutionalize the special and temporary provisions in Security Council resolution 1373 (2001).

It is indispensable that we integrate assistance mechanisms for States, which are now scattered among the Terrorism Prevention Branch — a subdivision of the United Nations Office on Drugs and Crime — and the Counter-Terrorism Executive Directorate. We must incorporate the work of the High Commissioner for Human Rights in the work of both the CTC and the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban.

Furthermore, it is imperative that we involve all the Member States of the United Nations in defining the policies of the Organization concerning counter-terrorism, thus, returning the initiative to the General Assembly. Finally, combating terrorism must become a permanent, regular activity of the United Nations.

My delegation is convinced that the only way we can enhance United Nations action against international terrorism is by assigning the task to an impartial professional standing body situated at the core of this institution. In that context, I would like to reiterate the proposal made in the General Assembly on 21 September by the President of Costa Rica, Dr. Abel Pacheco de la Espriella, in which he proposed the establishment of a United Nations high commissioner on terrorism. His proposal is presented in a letter addressed by our Minister for Foreign Affairs to the Secretary-General, which appeared as document S/2004/758. We invite the Security Council to examine that initiative in depth.

The President: Thank you for that thought-provoking final intervention. That exhausts the list of speakers that I have under rule 37. I shall now give the floor to the Chairman of the Counter-Terrorism Committee, Mr. Andrey Denisov, to offer any final comments that he may wish to make.

Mr. Denisov (*spoke in Russian*): Distinguished members of the Security Council and participants in our discussion, first, may I express my satisfaction at the results of today's open meeting of the Security Council. I would also like to express my gratitude to all delegations who have taken part in today's discussion, and thank them for the words of support expressed with regard to the current chairmanship of the Counter-Terrorism Committee (CTC) and the work of our Committee as a whole.

We have had a very constructive and interested exchange of views and I think it is of great significance from the standpoint of further improvement of the methods of work of the Counter-Terrorism Committee. The comments made and proposals put forward in the meeting pertaining to the activities of the Counter-Terrorism Committee will be given the most careful consideration, with a view to taking them into account in the future work of the Counter-Terrorism Committee. Once again I thank all participants for the active work they have done at this meeting.

The President: Thank you, Ambassador Denisov. After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council,

> "The Security Council welcomes the briefing by the Chairman of the CTC on the work of the Committee.
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> "The Security Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed.
>
> "The Security Council recalls the statement by its President on 19 July 2004 (S/PRST/2004/26), resolution 1535 (2004), which indicated the Council's intention to review the structure and activities of the CTC, and resolution 1566 (2004) emphasizing additional measures aimed at strengthening international cooperation in combating terrorism.
>
> "The Security Council invites the CTC to pursue its agenda as set out in the work programme for the CTC's thirteenth 90-day period (S/2004/820) focusing on practical measures to implement resolution 1535 (2004) on the revitalization of the Committee, including implementation of the organizational plan for the Counter-Terrorism Executive Directorate, and resolution 1566 (2004). These measures will embrace further work to increase the Committee's capacity, including through enhanced cooperation with the Al Qaeda/Taliban Sanctions Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004).

"The Security Council notes the importance of continuing the CTC's efforts to enhance the capabilities of Member States to combat terrorism; to identify and address the problems faced by States in implementing resolution 1373 (2001); to facilitate the provision of technical assistance adjusted to the countries' needs; to encourage the largest possible number of States to become parties to the international conventions and protocols related to counter-terrorism, and to strengthen its dialogue and cooperation with international, regional and subregional organizations acting in the areas outlined by resolution 1373 (2001).

"The Security Council invites the CTC to continue preparing and begin sending to Member States assessments of their assistance needs for eventual sharing with interested donor States and organizations, and to accelerate the preparations for the first visits to Member States, with their consent, in order to enhance the monitoring of the implementation of resolution 1373 (2001) and facilitate the provision of technical and other assistance for such implementation.

"The Security Council, recalling paragraph 7 of resolution 1566 (2004), invites the CTC to start, in consultation with relevant international, regional and subregional organizations and United Nations bodies, to develop a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism.

"The Security Council notes that, as of 30 September 2004, 78 States had not submitted their respective reports to the CTC on time as set out in resolution 1373 (2001). It calls on them urgently to do so, in order to maintain the universality of response which resolution 1373 (2001) requires.

"The Security Council invites the CTC to continue reporting on its activities at regular intervals and expresses its intention to review the structure and activities of the CTC in January 2005."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/37.

There are no further speakers inscribed on my list. The Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.15 p.m.